

JS 44C/SDNY
REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

14cv649(VM)

PLAINTIFFS

DEFENDANTS

The Procter & Gamble Company

Hello Products, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas, New York New York 10036

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

False advertising under Sec. 43(a) of Lanham Act, 15 U.S.C. § 1125(a), and N.Y. Gen. Bus. Law §§ 349 and 350.

Has this or a similar case been previously filed in SDNY at any time? No? Yes? Judge Previously AssignedIf yes, was this case Vol. Invol. Dismissed, No Yes If yes, give date _____ & Case No. _____

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
CONTRACT	PERSONAL INJURY	PERSONAL INJURY		
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 610 AGRICULTURE	[] 400 STATE REAPPORTIONMENT
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY PRODUCT LIABILITY	[] 620 OTHER FOOD & DRUG	[] 410 ANTITRUST
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 625 DRUG RELATED PROPERTY	[] 430 BANKS & BANKING
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 369 PERSONAL PROPERTY	[] 630 LIQUOR LAWS	[] 450 COMMERCE
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE LIABILITY	[] 370 OTHER FRAUD	[] 640 RR & TRUCK	[] 460 DEPORTATION
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 371 TRUTH IN LENDING	[] 650 AIRLINE REGS	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE PRODUCT LIABILITY	[] 380 OTHER PERSONAL INJURY	[] 660 OCCUPATIONAL SAFETY/HEALTH	[] 480 CONSUMER CREDIT
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 385 PROPERTY DAMAGE	[] 670 OTHER	[] 490 CABLE/SATELLITE TV
[] 160 STOCKHOLDERS SUITS				[] 510 SOCIAL SECURITY
[] 190 OTHER CONTRACT				[] 520 HIA (1395f)
[] 195 CONTRACT PRODUCT LIABILITY				[] 562 BLACK LUNG (923)
[] 196 FRANCHISE	ACTIONS UNDER STATUTES			[] 563 DIWC/DIWV (405(g))
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		[] 564 SSID TITLE XVI
[] 210 LAND CONDEMNATION	[] 441 VOTING	[] 510 MOTIONS TO VACATE SENTENCE		[] 565 RSI (405(g))
[] 220 FORECLOSURE	[] 442 EMPLOYMENT			[] 570 FAIR LABOR STANDARDS ACT
[] 230 RENT LEASE & EJECTION	[] 443 HOUSING/ACCOMMODATIONS	[] 530 HABEAS CORPUS		[] 572 LABOR/MGMT RELATIONS
[] 240 TORTS TO LAND	[] 444 WELFARE	[] 531 DEATH PENALTY		[] 574 DISCLOSURE ACT
[] 245 TORT PRODUCT LIABILITY	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 540 MANDAMUS & OTHER		[] 576 RAILWAY LABOR ACT
[] 290 ALL OTHER REAL PROPERTY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 550 CIVIL RIGHTS		[] 577 OTHER LABOR
		[] 555 PRISON CONDITION		[] 578 LITIGATION
				[] 579 IRS-THIRD PARTY
				[] 580 26 USC 7609

Check if demanded in complaint: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2a. Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> 2b. Removed from State Court AND at least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY)	<input checked="" type="checkbox"/> 4 DIVERSITY	IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)
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CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input checked="" type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

The Procter & Gamble Company
One Procter & Gamble Plaza
Cincinnati, Ohio 45202

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Hello Products, LLC
363 Bloomfield Avenue, Suite 2D
Montclair, New Jersey 07042

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
(DO NOT check either box if this a PRISONER PETITION.)

DATE Jan. 31, 2011 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
 YES (DATE ADMITTED Mo. 03 Yr. 1973)
 Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)